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Appl. No. 09/924,934
Amdt. dated March 15, 2005
Reply to Office action of December 15, 2004

REMARKS**I. CLAIM STATUS**

Claims 1-34 remain pending.

Claim 1 has been amended to address antecedent basis concerns. The claim scope is unchanged.

II. REJECTIONS UNDER 35 U.S.C. § 112

Claim 1 stands rejected under 35 U.S.C. § 112 as being indefinite due to confusion regarding whether the "associated memory module" in the body of the claim refers back to "each memory module" in the preamble. Applicants have amended the claims to more clearly indicate that such a reference is intended. In view of this amendment, the rejection should be withdrawn.

III. REJECTIONS UNDER 35 U.S.C. § 103

Claims 1-3, 13-15 and 24-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shen et al. (U.S. Pub. No. 2004/0093467) in view of Beardsley et al. (U.S. Pat. No. 6,425,050). Claims 4-12, 16-23 and 27-34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shen et al. in view of Beardsley et al. and further in view of Temple (U.S. Pat. No. 5,937,199). Applicants respectfully traverse these rejections because the cited art fails to teach or suggest each limitation of the claims, as is required for a rejection of this type. See MPEP § 2142.

For example, Independent claim 1 recites in part: "wherein said Owner processor may displace the exclusive copy of said memory block, and return said displaced copy of said memory block to said Home processor with a signal indicating that said Owner processor remains a sharer of said memory block." Regarding this limitation, the examiner particularly cites Beardsley's Figs. 3 & 4; col. 5, lines 43-67; and col. 6, lines 18-33. Beardsley's Fig. 3 and col. 5 relate to the granting of cache access to destage track data back to a storage device. Beardsley's Fig. 4 and col. 6 relate to the granting of cache access for shared reads of data being destaged. However, Beardsley clearly teaches that such shared read access is not allowed *unless the data has not yet been displaced from the cache*. See Beardsley col. 6, lines 34-42 ("[A]ccess is not released if the

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entire track is not in cache, otherwise a new read request could request data records that are not in cache"). The cited art thus fails to teach or suggest returning a signal to a home processor indicating that a remote processor, having displaced a memory block, remains a sharer of the block as required by the claim. Independent claim 1 and its dependent claims 2-12 are allowable for at least this reason.

Independent claim 13 recites in part "displacing said copy of said memory block from said cache memory ... [and] transmitting a message to said Home processor ... indicating that said Owner processor should still be deemed a sharer of said memory block." As noted above, the examiner particularly cites Beardsley, but Beardsley clearly teaches that shared access to data being destaged is allowed only if the data has not yet been displaced from the cache. For at least this reason, the cited art fails to teach or suggest allowing a processor to be identified as a sharer after displacing the memory block from its cache. Independent claim 13 and its dependent claims 14-23 are allowable for at least this reason.

Independent claim 24 recites in part "said second processor may displace the exclusive copy of said memory block [and transmit] a signal to said first processor indicating that said second processor ... should remain a sharer of said memory block." As noted above, the examiner particularly cites Beardsley, but Beardsley clearly teaches that shared access to data being destaged is allowed only if the data has not yet been displaced from the cache. For at least this reason, the cited art fails to teach or suggest allowing a processor to be identified as a sharer after displacing the memory block from its cache. Independent claim 24 and its dependent claims 25-34 are allowable for at least this reason.

IV. CONCLUSION

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining

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the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,



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